

Our News Letters also appear on our website.



Rick Bisher Phil Ryan Pat Ryan

RYAN BISHER RYAN PHILLIPS AND SIMONS
1-800-725-2222

Our thoughts are with those that are defending this great nation. We wish their speedy return to their families and loved ones.

"I don't know what weapons will be used in world war three, but in world war four people will use sticks and stones."

Albert Einstein.

RBR—EDUCATION SPONSORSHIP

RBR once again has provided funds to sponsor "Newspapers in Education Program". Schools will receive *The Oklahoman* via the electronic edition, which is an exact replica of the print copy that supplies news and information in a format that students prefer. Education is our future and RBR is proud to take part in the program.

RECALL - MUSICAL WOODEN TABLE BY BATTAT

The U.S. Consumer Product Safety Commission participated in the voluntary recall of the musical wooden table toy manufactured by Battat in China. Approximately 14 thousand units were recalled. The toy was sold nationwide from



September 2006 to October 2010 for about \$30.00. Small pegs were reported to loosen and detach on the xylophone, posing a choking hazard for children. Consumers should immediately prevent their children from playing with the toy and contact Battat who will provide a free replacement toy.

Toys that are not properly designed and tested can pose a serious hazard for children. Manufactures can be held strictly liable for product defects that cause injuries to consumers.

DID YOU KNOW?

Class action lawsuits provide a benefit to consumers. Research by finance and accounting professors at Rutgers and Emory universities' business schools finds that class action lawsuits are a strong deterrent to misrepresenting corporate

ANOTHER SUCCESS STORY

In June of 2003 Johnny Bass was at local bar. When he left he was arrested for DUI and transported to the Pottawatomie Safety Center. That same evening Jason and Solomon Grass were arrested for disturbing the peace and outstanding warrants. In an attempt to relieve overcrowding Johnny was placed in a cell with Jason Grass and four other inmates versus being placed in the holding cell for intoxicated arrestees. State regulations required intoxicated persons not to be placed in general population. The Center was responsible for ensuring that intoxicated persons are placed in a reasonably safe environment.

Johnny was attacked by Jason Grass and severely beaten, requiring facial surgeries. Johnny was initially represented by two separate attorneys who each eventually advised the court that in essence the case was too difficult and they could not proceed on Johnny's behalf.

Jonny then called Rick Bisher. He agreed to accept the case. Due

to the fact that the case had been pending in federal court for some time, court imposed deadlines were rapidly approaching. Time was of the essence to find and retain an expert, inspect the jail, and secure the necessary depositions in order to prepare the case for trial. Rick met those deadlines.

The Center refused to discuss settlement of the case - they took the position they could not be beat at trial. After a jury verdict and two appeals later, that position proved to be the wrong one.

The jury awarded Johnny \$330,000 in compensatory damages and the court then awarded him \$111,000 in attorney fees plus costs. The court then allowed prejudgment and postjudgment interest to be added to the verdict.

The firm was glad to see that Johnny received his day in court. He is just one of the thousands of our clients that the firm has obtained a successful result for.

financial results and other wrongdoing. And, in many instances class actions are a stronger deterrent than SEC enforcement actions.

This first study to validate the enforcement value of class actions through empirical research was conducted by Dr. Kedia and Shivaraj Rajgopal, Ph.D., Chartered Accountant and Schaefer Chaired Professor of Accounting at Emory University's Goizueta Business School, with Jared Jennings, a doctoral student at the University of Washington's school of business. Their paper, entitled "The Deterrence Effects of SEC Enforcement and Class Action Litigation," reports their analysis of 474 SEC actions alleging financial statement misrepresentation and 1,111 class action lawsuits alleging violations of Generally Accepted Accounting Procedures during 1996 through 2006. The paper was first circulated for comment in June.

HUSQVARNA RECALL

The U.S. Consumer Product Safety Commission, in cooperation with Husqvarna Zenoah Co. Ltd., an affiliate of Husqvarna Professional Products Inc., of Charlotte, North Carolina, announced a voluntary recall of about 10,500 units of RedMax brushcutter/trimmer. Consumers should stop using recalled products immediately unless otherwise instructed. It is illegal to resell or attempt to resell a recalled consumer product.

Some fuel tanks allow leakage at the fuel cap, posing a fire hazard to consumers. No reports of fire, personal injury or property damage.

The recalled brushcutter/trimmer is a RedMax model TR2350S. Recalled brushcutters have shaft serial numbers ranging from 10215377 to 10625892, and engine serial numbers ranging from 10115390 to 10425910. The product is powered by a 2-cycle gasoline engine and cuts grass or weeds through the use of a spinning black trimmer head containing a spool of filament line. Model number and shaft serial number are located on a label on the shaft halfway between the trimmer head and the engine. The engine serial number is located on the bottom of the engine between the two screws that secure the fuel tank to the engine.

Consumers should immediately stop using the product and return it to their local RedMax dealer for repair.

Want to know more about the firm, go to www.rbrlawfirm.com



EXPERIENCE, SKILL AND KNOWLEDGE TIPS THE SCALE IN FAVOR OF OUR CLIENTS. We get results, it's just that simple! RBR has collected over \$500,000,000.00 (and growing) for our clients. We do our best to obtain successful results each and every day for our clients!!

SHERMAG INC RECALLS 3,100 DROP-SIDE CRIBS FOR REPAIR

Shermag Inc, of Quebec Canada announced a voluntary recall in cooperation with the Consumer Product Safety Commission of about 2,300 drop-side cribs in the United States and about 800 in Canada. Reports indicate that the drop-side rail hardware on the cribs can break or fail allowing the drop side to detach from the crib, creating a hazardous gap between the crib mattress and the rail. Model numbers 202647, 211047 and 272547 are included in this recall. The cribs were sold separately and as part of the "City Lights," "Fairy Tales" and "Dormez Vous" furniture collections. "Shermag" is printed on a tag on the mattress springs. The model numbers can be found on stickers and warning labels on the crib's headboard or footboard.



HEALTHY TO WALK?

For those of us who just hate to walk or run, perhaps we should consider the following to rationalize our behavior:

If walking is good for your health, the postman would be immortal; a whale swims all day, is generally speaking "fat," and can live more than fifty years, yet a rabbit who runs and hops everyday lives five to eight years; a tortoise who doesn't run, does nothing...lives for over 450 years.

Since most of us carry a little extra weight around with us and we tend to procrastinate about engaging in a walking or running campaign, perhaps we can take a little comfort when thinking of excuses why sitting on the couch may be a good thing...

EGG PRODUCERS CONSPIRACY? CHARGES?

Reuben Kramer at Courthouse News Service reports that a federal judge has ruled that plaintiffs in a class action have offered sufficient evidence to suggest that four of the nation's largest egg producers joined in a conspiracy to reduce the supply of eggs available on store shelves and jack up prices. As a result U.S. District Judge Gene Pratter refused to dismiss the action against them.

The plaintiffs, direct-purchasers of eggs, alleged the egg producers engaged in eight distinct coordinated actions over the course of a decade that are hallmarks of an anticompetitive conspiracy. As a result, they said, egg prices rose between 2003 and 2009. The judge denied four motions to dismiss on September 16, finding that the plaintiff alleged sufficient facts to require Michael Foods, Daybreak Foods, Rose Acre Farms and Ohio Fresh Eggs to respond to the allegations.

HUNTING SEASON OPENS

For all of us deer hunters, October 1st was the long awaited opening day for archery season. Archery season will remain open through January 15, 2012.

Black powder opens on October 22, 2011 and ends on October 30, 2011. Rifle season opens on November 19, 2011 and ends on December 4, 2011. The youth deer gun season is October 14-16, 2011.

The holiday antlerless deer gun season is December 16 through December 25, 2011 (open only in certain zones).

Be sure to check the regulations for the particular regulations in the zone you are hunting in. Be safe and good luck.